

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTSFILED
IN CLERKS OFFICE

FEDERAL TRADE COMMISSION,

2005 DEC 16 A 9:11

Plaintiff,

v.

DIRECT MARKETING CONCEPTS, INC., et al.,

Defendants.

U.S. DISTRICT COURT
DISTRICT OF MASS.

Civ. No. 04-11136 - GAO

**PLAINTIFF FEDERAL TRADE COMMISSION'S MOTION FOR LEAVE
TO FILE MEMORANDUM EXCEEDING PAGE LIMIT**

Plaintiff Federal Trade Commission ("Commission"), respectfully requests leave to file a Memorandum in Support of Plaintiff's Motion for Summary Judgment exceeding the page limit specified in Rule 7.1(b)(4) of the Local Rules.

In support of its motion, the Commission states that it has made every effort to be concise in presenting the facts and the law necessary for the Court to decide its Motion for Summary Judgment. The nature of this case – which involves the marketing and sale of two different products (Coral Calcium Daily and Supreme Greens with MSM) over two and a half years, as well as the use of a deceptive infomercial format and unauthorized autoships by certain of those defendants – entails a recitation of numerous material facts and a detailed legal analysis (including, *inter alia*, a detailed discussion of the liability of each of the seven primary defendants for injunctive relief and monetary relief, and the unjust enrichment of three Relief Defendants) in the Memorandum.

Wherefore, plaintiff respectfully requests that this Court issue an order allowing the filing of its Memorandum in excess of twenty (20) pages. For the Court's convenience, a proposed

Order is provided along with this motion.

Respectfully submitted,



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ATTORNEYS FOR PLAINTIFF

DATE: December 14, 2005

CERTIFICATE OF SERVICE

My name is Edward Glennon and I am an attorney with Federal Trade Commission. On December 14, 2005, copies of (1) Plaintiff Federal Trade Commission's Motion for Leave to File Memorandum Exceeding Page Limit and (2) proposed Order were served via Federal Express as follows:

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Sage International, Inc. (for BP International, Inc.)
Attention: Molly Wheeler
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I declare under penalty of perjury that the foregoing is true and correct. Executed this December 14, 2005 at Washington, D.C.



Edward Glennon